

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

New World Solutions, Inc.

Plaintiff,

v.

Namemedia, Inc.,

Defendant

Case No. 11-cv-02763 (KMK) (LMS)

AFFIDAVIT OF DAVID SHAUN NEAL

David Shaun Neal, being duly sworn, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

1. I formed NWS Partners in December of 2013 so that I could begin providing my mobile development services through a corporation.
2. I had previously offered those services personally. The amount of business was growing to the point that I felt it was time to formalize it into a corporation.
3. These are services which I had provided personally to clients which I have obtained over the last few months.
4. The filing in November to dissolve New World Solutions, Inc. had nothing to do with my formation of NWS Partners, Inc.
5. At the time of the filing, New World Solutions, Inc. had one contract for approximately \$500 per month of services which resulted in a net profit of less than \$40 per month.
6. It simply made no sense to continue the operation.
7. I informed that client that they could obtain the services directly from the individual who was providing them to New World Solutions, Inc., I withdrew \$253 that was remaining in the corporate account and closed the company.
8. New World Solutions, Inc. ceased to be a profitable entity in November of 2012 with the loss of the second of its two major clients.

9. NWS Partners Inc has never used the mark "New World Solutions" in any of its advertising.

10. NWS Partners, Inc has its own mark which I created in December of 2013.

11. NWS Partners, Inc. never shared a physical address with New World Solutions, nor does it use any of the phone numbers or email addresses which were owned by New World Solutions, Inc.

12. NWS Partners, Inc. did not use or transfer any assets from New World Solutions, Inc.

13. All of the assets of New World Solutions, Inc were disposed of, except for a small bank balance, by August of 2013. In total, the assets of New World Solutions Inc at that time were valued at less than \$2,500.

14. NWS Partners, Inc. does not have a website, nor do I intend on creating one for it in the foreseeable future.

15. The domain nwspartners.com is owned by me personally.

16. If the company is successful over the next few years I may transfer the domain to NWS Partners, Inc and begin using that domain, however I have no idea at this time if that will occur.

17. Recently I have been in discussions to join another company and it is very likely that I will close NWS Partners Inc. if that happens.

18. The fact that nwspartners.com was pointing to an old website was merely a technical issue.

19. While New World Solutions was still in business, I had instructed our web designer to create a new website for New World Solutions Inc.

20. During the launch of that website, the web designer inadvertently changed all of the domains in my account to point to the new website.

21. So www.shaunneal.com, www.mycamapp.com, www.darkfirerpg.com and many other domains were all set to point to the website which defendant has included as their alleged proof of the use of the mark by NWS Partners.

22. The domains were quickly fixed because it led to a disruption of many of my personal projects.

23. However nwspartners.com, and other domains, were overlooked because they were not actively in use and so it, and a few other domains which were not part of active projects, remained pointing to the now defunct New World Solutions web page.

24. After I received correspondence from the defendant by way of counsel for New World Solutions, I personally modified the DNS pointers for the remaining domains and removed all

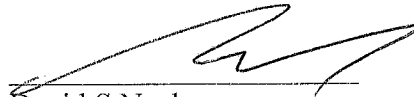
25. In support of the foregoing I am attaching copies of advertisements posted on Craigslist and a copy of a recent invoice from NWS Partners, Inc showing the mark of NWS Partners.

26. The Craigslist ad was first placed on December 11, 2013.

27. The email address shaun.neal@nwspartners.com is not a deliverable email address. Attached hereto is a copy of a rejection message which a sender would receive if they had sent an email to that address.

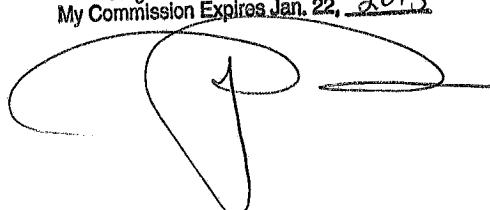
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

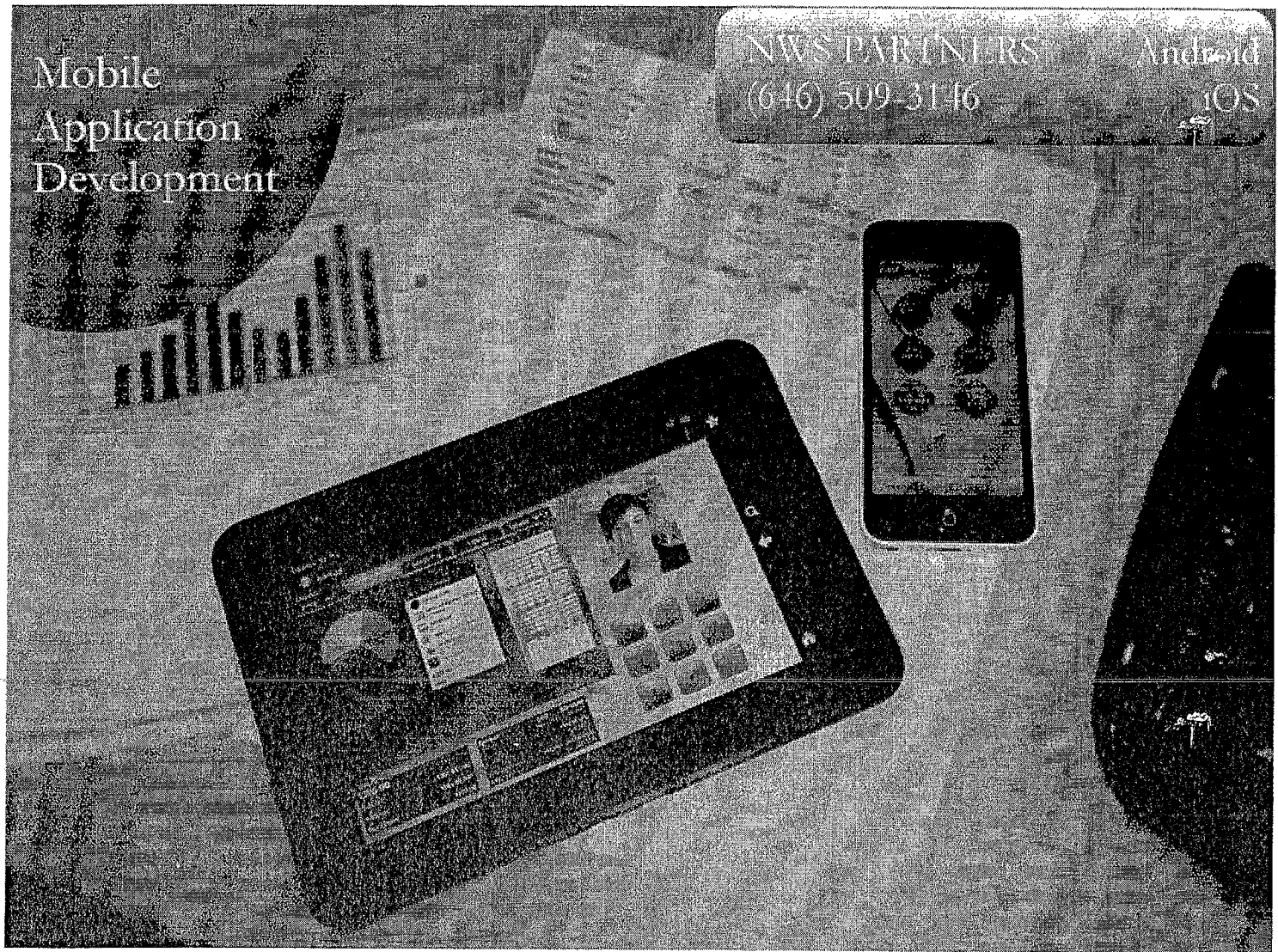
Executed on February 19, 2014

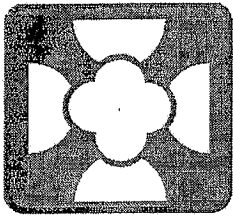


David S Neal,
Managing Partner, New World Solutions, Inc.

ROBERT J RECLA
Notary Public, State of NY
NO. 4977029
Registered in Rockland County
My Commission Expires Jan. 22, 2015







NWS Partners, Inc.
18 Susan Court
Tuxedo, NY 10987

(646) 509-3146

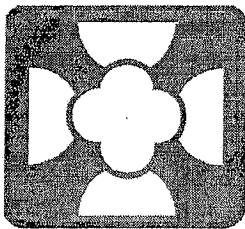
Invoice

Bill To
[REDACTED]

Date	Invoice #
12/30/2013	1008

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	Doublecross application - Phase I	[REDACTED]	[REDACTED]
		Total	[REDACTED]



NWS Partners, Inc.
18 Susan Court
Tuxedo, NY 10987

(646) 509-3146

Invoice

Bill To

Date	Invoice #
1/11/2014	1013

P.O. No.	Terms	Project

Date	Hours	Description	Rate	Amount
22-Dec	1	Research and resolve issues related to app rejection		
26-Dec	1	Research twitter posting issues, document program crashes, cannot get search list, screenshots, email		
29-Dec	1	Review questions, research foodspotting api, review twitter login code, review twitter api, document results, email		
30-Dec	1.5	Implement check_username api, modify user		
31-Dec	0.75	Update TW login string, change check_username params, test/debug functions, emails		
2-Jan	0.5	Debug issues with check_username api, connect ui on username, add alertview on save to block saving duplicate username, build/push and email		
8-Jan	0.5	Factory wipe phone, provision, debug FB login, create new test account, emails		
	1	Debug FB issues, testing, discussion, modify FB code and test		
	0.5	Debug issue with firstname/lastname on user profile		
9-Jan	1.5	Debug facebook login issues		
11-Jan	2	Debug facebook login issue, fix bugs, emails		
Total			\$	



Shaun Neal <shaun@shaunneal.com>

test

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Wed, Feb 12, 2014 at 6:23 PM

To: shaun@shaunneal.com

Delivery to the following recipient failed permanently:

shaun.neal@nwspartners.com

Technical details of permanent failure:

DNS Error: DNS server returned answer with no data

----- Original message -----

X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=1e100.net; s=20130820;

h=x-gm-message-state:mime-version:date:message-id:subject:from:to

:content-type;

bh=i7caeKWRDxdvMH75xcjBbelwR77Dz/b6bE5O2Mf9E8c=;

b=feMvMvSjr3lkKs794TF7+e5k7FZeRUAT97nPb3vQ6IWbAhEotsWLyrT4OWI40Wyxfg

yldSLN0IAgYiwScX6bXgevARi3Wh/9s+SfjsHy588CZq74mgK9OAvbQYVNR7feny9HFr

M/RS1hDdGaMZ6FylqTxLRVw3CUUp0tWRnkJwXNGVWBkeJWI8fQ3qS7MYuhr5BAiLUXpsx

LTjaSsz3Z7XoTj9ayD+n9qjHY5RUt3mc7F7C5L70GwI7K0McN+Zrc/b3Us9fDjsyG+7h

kD1MU8zPOsuKEXS7ejk2K82jUOpdCC3OGqmon69l4nBA1c8690qMhgL6z7cQtvNTTrP7I

6GQA==

X-Gm-Message-State: ALoCoQm3CSaDEUOf0qyIOYxoZeUMFc3XKirG3HMCNMZOQXCUBxHQ2biho1kv
utX4m71YMv+Nu6dU

MIME-Version: 1.0

X-Received: by 10.194.93.193 with SMTP id cw1mr336810wjb.72.1392247422266;

Wed, 12 Feb 2014 15:23:42 -0800 (PST)

Received: by 10.194.177.231 with HTTP; Wed, 12 Feb 2014 15:23:42 -0800 (PST)

X-Originating-IP: [96.56.225.194]

Date: Wed, 12 Feb 2014 18:23:42 -0500

Message-ID: <CACdS+s=0kERFeDOMGoDGw-p2mDFw=qrf1PkQqbnRFqp_sASQQw@mail.gmail.com>

Subject: test

From: Shaun Neal <shaun@shaunneal.com>

To: shaun.neal@nwspartners.com

Content-Type: multipart/alternative; boundary=047d7bdc05380b905b04f23dddbf